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ITEM 7:* PROGRAMME MATTERS, INCLUDING THE IMPLEMENTATION OF THE PLAN OF ACTION TO COMBAT DESERTIFICATION

PROGRAMME MATTERS CALLING FOR POLICY GUIDANCE FROM THE COUNCIL

Report of the Executive Director

Addendum

CONVENTION ON BIOLOGICAL DIVERSITY

URGENT MEASURES FOR THE CONSERVATION OF THE AFRICAN ELEPHANT AND AFRICAN AND ASIAN POPULATIONS OF THE RHINOCEROS

Summary

The present report contains:

A description of the actions taken by UNEP in accordance with resolutions of the May 1992 Nairobi Conference for the Adoption of the Agreed Text of the Convention on Biological Diversity and as follow-up to the signing of the Convention on Biological Diversity at the United Nations Conference on Environment and Development;

A review of measures undertaken by UNEP since 1990 for the conservation of the African elephant and African and Asian rhinoceros, including the convening of the January 1992 Nairobi Conference Between the African Elephant Range States and Donors on Financing of the Conservation of the African Elephant and the planned UNEP conference between rhinoceros range States and donors.

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* Refers to the number of the item on the Provisional Agenda (UNEP/GC.17/1).

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I. CONVENTION ON BIOLOGICAL DIVERSITY

Introduction

1. Pursuant to Governing Council decisions 14/26 (1987), 15/34 (1989), SS.II/5 (1990) and 16/42 (1991), the Convention on Biological Diversity was successfully concluded on 22 May 1992 and was opened for signature at the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro from 5 June 1992. To date, 160 countries and the European Community have signed the Convention and six countries have ratified it. It will enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession.

2. The Convention provides a comprehensive legal framework, encompassing both national and international measures for the conservation of the planet's biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including appropriate access to genetic resources and appropriate transfer of relevant technologies, taking into account all rights over those resources and rights to technologies and with appropriate funding. The Convention also provides for a financial mechanism, including interim financial arrangements, prior to its entry into force.

Actions required following the signing of the Convention

3. The Conference for the Adoption of the Agreed Text of the Convention on Biological Diversity, which took place in Nairobi on 22 May 1992, recognized the need to take immediate action for the conservation and sustainable use of biological diversity pending the entry into force of the Convention, and adopted several resolutions calling for action during that interim period. The activities undertaken by the UNEP secretariat as a follow-up to the Convention and the resolutions of the Conference are described in paragraphs 4-11 below.

4. In accordance with Conference resolution 1 on interim financial arrangements, UNEP conveyed the resolution to the Administrator of UNDP, the President of the World Bank and the Chairman of the Participants' Assembly of the Global Environment Facility (GEF), seeking their views on how the GEF should operate on an interim basis, in accordance with Article 21 of the Convention. In accordance with the same resolution, UNEP sought the views of the World Bank, the regional development banks, and other relevant United Nations bodies on the provision of financial and other resources for the implementation of the Convention for the interim period.

5. UNEP sent a letter to all Governments to convey to them resolution 2 which, *inter alia*, calls upon all States and entitled regional economic integration organizations to consider signing and ratifying, accepting, approving or acceding to the Convention.

6. Also in accordance with resolution 2, UNEP conveyed the resolution to the heads of the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Conservation Union (IUCN); the Consultative Group on International Agricultural Research (CGIAR); the World Wide Fund for Nature (WWF); the Directors of the International Board for Plant Genetic Resources (IBPGR) and the World Conservation Monitoring Centre (WCMC); the President of the World Resources Institute (WRI); and to the Secretariats of the Convention on International Trade on Endangered Species of Wild Fauna and Flora (CITES); the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (RAMSAR); the Convention

Concerning the Protection of the World Cultural and Natural Heritage; the United Nations Convention on the Law of the Sea; the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and the International Tropical Timber Organization (ITTO) to seek their views on the establishment and operation of the interim secretariat and the kind of support that might be given by them.

7. According to Article 40 of the Convention and resolution 2 of the Conference, UNEP's Executive Director is to provide the interim secretariat for the Convention until the first meeting of the Conference of the Parties. That meeting will be convened within one year of the Convention's entry into force, upon ratification by 30 countries. The Governments of Spain and of Switzerland offered to host the interim secretariat and, after careful analysis of the two offers, it has been located in Geneva, with the Government of Switzerland paying the full annual costs of the secretariat, providing rent-free office accommodation, meeting rooms and conference facilities, including interpretation facilities, as well as at least $1 million per year until at least one year after the first meeting of the Contracting Parties.

8. Resolution 2 of the Conference invites the UNEP Governing Council to request the Executive Director to convene meetings of an Intergovernmental Committee on the Convention on Biological Diversity (ICCBD) to consider issues raised in the resolution. To facilitate the work of ICCBD, the activities described in paragraphs 9 to 11 below were undertaken.

9. A systematic and thorough revision of the guidelines for the future preparation of the biodiversity country studies was undertaken, as recommended by the Conference. Four small panels of experts assisted the Executive Director in this, and examined their status, the economic costs of conservation and use and the economic benefits, and biodiversity strategies and action plans. The experts' findings were further reviewed in a workshop hosted by Costa Rica in November 1992, with financial support from Canada and Sweden. Further improvements are ongoing and the final reports will be available to the Norway/UNEP Expert Conference on Biodiversity, to be hosted by Norway in Trondheim from 25-29 May 1993.

10. To clarify further several complex issues raised in resolution 2 and in some of the Articles of the Convention, the Executive Director established the following four balanced expert panels: *Panel 1*: Priorities for action and for scientific and technical research on conservation and sustainable use of biological resources; *Panel 2*: Evaluation of potential economic implications of conservation of biological diversity and its sustainable use and valuation of biological and genetic resources; *Panel 3*: Technology transfer and financial issues; *Panel 4*: Need for, elements for inclusion in, and modalities of a protocol for transfer and handling of any living modified organism resulting from biotechnology. Their advice and recommendations will be consolidated in a report which will also be considered by the wider audience provided by the Trondheim meeting (25-29 May 1993), before submission as a "Note by the Executive Director" to the first meeting of ICCBD.

11. Resolution 3 of the Conference, which concerns the interrelationship between the Convention and the promotion of sustainable agriculture and therefore the need to develop complementarity and cooperation between the Convention and other international mechanisms dealing largely with the conservation and utilization of genetic resources for food and agriculture, has been brought to the attention of FAO and IBPGR, acting on behalf of the Consultative Group on International Agricultural Research. As yet, there have been no significant advances in these matters and the Executive Director is intensifying the consultations, with a view to reporting to ICCBD.

Suggested action by the Governing Council

The Governing Council may wish to:

- *Welcome* the conclusion of the Convention on Biological Diversity and its subsequent signing by 160 countries and the European Community and its ratification by six countries;

- *Call upon* States and entitled regional economic integration organizations that have not yet done so to sign or accede to the Convention and signatories that have not yet done so to ratify, accept or approve the Convention at the earliest opportunity, as appropriate;

- *Note* the initiative of the Executive Director in actively pursuing the implementation of the Nairobi Final Act; in preparing for the work for the proposed meetings of the Intergovernmental Committee of the Convention on Biological Diversity; and in establishing the interim secretariat in Geneva;

- *Request* the Executive Director to continue her efforts, with the aim of promoting the implementation of the provisions of Resolutions of the Conference and of Articles 21 and 39 of the Convention related to interim financial arrangements. (Resolution 1 invites the Global Environment Facility to undertake the operation of the financial mechanism on an interim basis and, in accordance with Article 21, for the period between the opening of the Convention for signature and its entry into force and, in accordance with Article 39, until the first meeting of the Conference of the Parties);

- *Establish* an Intergovernmental Committee of the Convention on Biological Diversity and authorize the Executive Director to convene meetings of the Committee to consider issues called for in resolution 2 of the Conference, with the first session of the Committee being convened in the first week of September 1993;

- *Note with appreciation* that the Government of Switzerland has agreed to provide office accommodation and meeting rooms for the interim secretariat rent-free and to pay for the full annual costs of the interim secretariat, together with furniture and necessary office equipment, including computers, until at least twelve months after the first meeting of the Contracting Parties, and that that Government will provide conference facilities, including interpretation facilities, free of charge for large meetings as well as at least $1 million per year to finance secretariat activities.

II. URGENT MEASURES FOR THE CONSERVATION OF THE AFRICAN ELEPHANT AND AFRICAN AND ASIAN POPULATIONS OF THE RHINOCEROS

A. The African elephant

12. Over the last decade, African elephant populations have declined rapidly over much of their range, mainly as a result of intensive ivory poaching and the reduced extent of suitable elephant habitats resulting from human population and development pressures. The current status of the African elephant varies from one region to another and from one range State to another, but the overall decline was serious enough to prompt the seventh meeting of the Conference of the Parties to CITES, held in Lausanne in 1989, to transfer the African elephant from Appendix II to Appendix I of CITES. This was an acknowledgement of the fact that the African elephant is now an endangered species, threatened with imminent extinction if measures are not taken to halt its decline.

13. The seriousness of the problem and the great importance of the species as part of the world heritage has aroused concern on the African continent and in the international community. The above-mentioned CITES meeting requested that new and additional financial resources from multilateral, bilateral, international and NGO sources be identified to support elephant conservation efforts throughout Africa. Following the CITES meeting, the Government of France, through its Ministry of the Environment, hosted a Conference of Donor Countries for the Conservation of the African Elephant in Paris on 5 and 6 April 1990, to explore further the increased funding for elephant conservation in Africa. The Conference was attended by representatives of 22 donor countries and donor agencies, as well as international organizations, including UNEP. At the Conference it was evident that African States are making significant efforts to conserve the elephant, and it was equally evident that there is a willingness on the part of donors to assist in elephant conservation, in particular in the context of a broader conservation programme.

14. The Paris Conference concluded that the donor countries and funding agencies would welcome an initiative from Africa for a meeting to bring together all elephant range States and the donors to discuss the financing requirements of projects to advance the conservation of the African elephant and its ecosystems and to enhance coordination among donors. One significant conclusion was the donors' wish to support elephant conservation activities throughout the species' range. The conference also affirmed the support in principle for any mechanism that range States might wish to set up in order to improve the coordination of their elephant conservation measures and related activities.

15. As a result of the Paris Conference, the Government of the United States, the Government of France and the EEC agreed to assist UNEP to arrange a meeting between African elephant range States and donors. The African Elephant Conservation Coordinating Group (AECCG), an ad hoc group of government and institutional experts on the elephant, and the African Wildlife Foundation provided technical and logistic support.

16. The UNEP Conference Between the African Elephant Range States and Donors on Financing of the Conservation of the African Elephant was held in Nairobi from 27 to 31 January 1992. It stressed the need for an African Elephant Conservation Facility to stimulate and coordinate a collaborative approach to elephant conservation, in recognition of the fact that tackling the problems of elephant conservation in Africa could only be effectively coordinated by an organ of the range States and with a mandate from those States, and requested UNEP to assist in the establishment of an African-based continental Facility. Until the Facility is established, a collaborative approach to subregional cooperation is to be maintained

through the subregional consultative meetings on the conservation of the African elephant (Southern African subregion, Okaukuejo, Etosha National Park, Namibia, 11-15 September 1992; Central African subregion, Abidjan, Cote d'Ivoire, 12-15 January 1993; West African subregion, Douala, Cameroon, 19-22 January 1993.

17. A coordinating mechanism could facilitate cooperation through the collection and provision of relevant information; the identification of areas where knowledge is lacking; the development of programmes and projects and the avoidance of duplication; an exchange of views and experiences between one group of countries and another, etc. Additionally, the coordinating mechanism could be responsible for providing for an exchange of ideas on policies, programmes and legislative provisions and could support such fora for exchanges by providing carefully prepared data and information. Ideas for cooperative arrangements emanating from such fora could then be followed up by the range States concerned or by existing subregional organs. It would also be the responsibility of the coordinating mechanism to promote interaction between range States and donors and to carry out the periodic revision of the African Elephant Action Plan, which would form the basis upon which national and regional projects on elephant conservation could be evolved in collaboration with donors and various organizations working in the field in Africa. A coordinating body could assist in addressing border populations from the point of view of surveys or research, including formulating and developing programmes and projects, together with the range States concerned, and in presenting such programmes to interested donors. Suitable and compatible methodologies for surveying and monitoring could also be developed and promoted under such an umbrella.

18. Based on the premise that a coordinating mechanism is necessary, it was proposed that it be called the African Elephant Conservation Facility (AECF), which would emphasize that it would have a facilitating rather than an executive role. Its proposed form was outlined as follows:

(a) *Structure*: The membership should comprise heads of the wildlife conservation organizations from each range State. The members should meet annually to discuss matters of mutual concern. A programme committee, elected from the membership, should be constituted consisting of eight members (two each from the Eastern, Southern, Central and West African subregions). The programme committee should meet twice a year to review the activities of the secretariat. Every two years there should be a meeting with donors, at which existing projects would be reviewed and new projects for funding discussed;

(b) *Functions*: The Facility should be a forum for discussion and the exchange of information on all matters pertaining to elephant conservation in Africa, as its members may require. It would also carry out other functions as may be elaborated in later discussions;

(c) *The Secretariat*: There should be a small secretariat, comprising one Professional at the P-4 level, an administrative assistant and one secretary. The secretariat would be temporarily sited at UNEP headquarters until the members of the Facility decide on its final setting, taking into consideration offers from the range States. The Facility should establish working relations with relevant intergovernmental, subregional and regional organizations and NGOs, through which some of its identified programmes could be channelled, as appropriate, to the range States. Negotiations would need to be held with the African Elephant Conservation Coordinating Group (AECCG), with a view to acquiring the valuable elephant database it has developed so that this could become part of the elephant data centre which, it is hoped, would be part of the secretariat;

(b) *Funding*: It is proposed that the Facility be funded on a project-by-project basis for an initial period of five to ten years, with a major review of activities during the fifth year. It is estimated that the small secretariat and the convening of the meetings outlined above will cost some $400,000 in 1994 and $480,000 in 1995.

B. *Rhinoceros conservation in Africa and Asia*

19. During the last 20 years, the world's rhinoceros population has declined by 85 per cent and rhinoceros poaching continues unabated. The economies of a number of African States are dependent on wildlife, especially the rhinoceros, for tourist revenue. Its disappearance from the wild would cause considerable economic loss, quite apart from the immense, albeit unquantifiable, ecological, aesthetic, ethical and scientific loss.

20. For years, UNEP has cooperated with IUCN to ensure the survival of viable populations of the African and Asian rhinoceros. In 1989-1990 IUCN, UNEP, WWF and others published a conservation programme designed to save these species and allow their recovery: *Asian Rhinos - An Action Plan for their Conservation* (1989) and *African Elephants and Rhinos - Status Survey and Conservation Action Plan* (1990).

21. The eighth meeting of the Conference of the Parties to CITES, held in Kyoto, Japan, in March 1992, viewed with great concern the continuing drastic decline in rhinoceros populations, in spite of the fact that all rhinoceros species had been listed in CITES Appendix I since 1977. The meeting directed the CITES Standing Committee to examine the problem and to take whatever measures were considered appropriate to arrest and reverse the decline.

22. At its twenty-eighth meeting in Lausanne, Switzerland, in June 1992, the CITES Standing Committee discussed at length the problems facing the rhinoceros. It considered both *in situ* conservation and the illegal trade in rhinoceros products. The Standing Committee resolved to make the conservation of the rhinoceros a special priority and to undertake measures, including consultations with range States, to work out a long-term solution.

23. In response to CITES Standing Committee resolution Doc.SC.28.15 ("Trade in Rhino Horn"), noting "the need for new measures to be explored that will reverse the downward trend in population numbers" and following a specific request of the Government of Zimbabwe to UNEP to act urgently to stop the decline in rhinoceros numbers, and also in view of UNEP's own concern about the plight of rhinoceros species and the need to take immediate action, the Executive Director of UNEP took two steps. First, a special envoy was appointed to undertake a mission to a number of key rhinoceros range States and consumer States in Africa and Asia to assess the current state of rhinoceros conservation, to use the good offices of UNEP to close down rhinoceros product markets, to mobilize public support for international rhinoceros conservation measures, and to propose further measures to be taken by UNEP and the international community.

24. Second, the Executive Director convened an informal preliminary meeting between the rhinoceros range States and donors on financing the conservation of the rhinoceros, which was held in Nairobi from 16 to 18 December 1992. The consultations covered the preparations for the formal UNEP conference between the rhinoceros range States and donors on financing the conservation of the rhinoceros, scheduled to be held at UNEP, Nairobi, in June 1993. At the formal UNEP conference, range States and consumer States will be invited to present priority projects and/or country action plans for the conservation of the rhinoceros.

25. The principal goals of the conference will be to bring together the rhinoceros range States and consumer States to identify immediate and long-term priority measures for which external assistance is required and, with the cooperation of donors, to prepare a rhinoceros conservation strategy. The strategy should include national action plans and should identify the sources of necessary assistance.

26. In order to ensure that the above goals of the conference can be attained, range States have been requested to provide the following:

(a) An analysis of the nature and extent of threats facing the rhinoceros population(s) in each country;

(b) Measures that each Government has taken or plans to take to mitigate those threats, including national action plans;

(c) Project proposals for which a Government requires external assistance in order to achieve the conservation of a viable population of rhinoceros in each range State; and

(d) Indicative levels of external financial assistance needed for each of the proposals, as well as information on any assistance that is already being received or is expected to be received in the near future.

27. In the process of preparing or adopting a national conservation strategy, each concerned Government should make every effort to integrate fully its country rhinoceros conservation action plan into the national conservation strategy.

28. As a spin-off from the rhino meeting in Nairobi in December 1992, and cognizant of the extreme urgency of the situation and the need for immediate action, UNEP facilitated the design of a project on the conservation of the South-East Asian rhino in Indonesia and Malaysia for funding by the Global Environment Facility (GEF). The GEF Implementation Committee has endorsed the project for submission in its fifth tranche and UNDP has agreed to take the lead agency role.

Suggested action by the Governing Council

CONSERVATION OF THE AFRICAN ELEPHANT

The Governing Council may wish to:

- *Note* with satisfaction the work accomplished by UNEP in convening and organizing the UNEP Conference Between the African Elephant Range States and Donors on Financing of the Conservation of the African Elephant and in assisting African Governments in the development of effective conservation policies/programmes, conservation strategies and country elephant conservation action plans to improve the conservation of the African elephant and its ecosystems as well as in acting as a broker between donors and range States to provide funds to finance improved conservation of the African elephant as a key species in African ecosystems in the context of overall land-use patterns;

- *Call upon* African elephant range States to implement their country elephant conservation action plans across the species' range and urge donors in a position to do so to assist in this urgent conservation task, including supporting the coordination facility;

- *Call upon* Governments, the United Nations and its specialized agencies, and the non-governmental organizations to support the implementation of the country elephant conservation action plans and the establishment of a coordinating body for African elephant conservation through financial contributions and technical assistance;

- *Request* the Executive Director to:

(a) Strengthen the coordination of elephant conservation in Africa by assisting collaborative approaches to elephant conservation;

(b) Establish an African Elephant Conservation Facility within UNEP, allocate the necessary funds for the initial operation of the Facility and seek additional voluntary contributions from those in a position to do so to facilitate the long-term viability of the Facility.

CONSERVATION OF THE POPULATIONS OF THE RHINOCEROS IN AFRICA AND ASIA

The Governing Council may wish to:

- *Note* with satisfaction the work accomplished by UNEP in preparing for the UNEP conference between the rhinoceros range States, consumer States and donors on financing the conservation of the rhinoceros, scheduled to take place at UNEP Headquarters in Nairobi in June 1993 and in catalysing African and Asian Governments to develop priority projects and/or country rhinoceros conservation action plans to improve the conservation of the African and Asian rhinoceroses and their ecosystems, as well as in acting as a broker between donors and range States to secure funds to finance improved conservation of the African and Asian rhinoceros as key species in African and Asian ecosystems in the context of overall land-use patterns;

- *Express* its support for the upcoming UNEP conference and request Governments in a position to do so to extend financial support for its successful outcome, and in support of follow-up actions;

- *Call upon* African and Asian rhinoceros range States to implement their country rhinoceros conservation action plans across the species' range;

- *Call upon* Governments, the United Nations and its specialized agencies, and the non-governmental organizations to support the preparation and implementation of the priority projects and/or country rhinoceros conservation action plans, the convening of the UNEP conference and the establishment of a coordinating body for rhinoceros conservation through financial contributions and technical assistance;

- *Request* the Executive Director to:

(a) Strengthen the coordination of rhinoceros conservation in Africa and Asia by assisting collaborative approaches to rhinoceros conservation by range States;

(b) Establish an African and Asian rhinoceros conservation facility, if requested by the forthcoming meeting between the range States and the donors, and to allocate the necessary funds for the initial operation of the facility.